



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/827,579	04/02/2001	Charles R. Holdaway	HOL-P1	5907

26793 7590 08/25/2003

LEIGHTON K. CHONG
OSTRAGER CHONG & FLAHERTY (HAWAII)
841 BISHOP STREET, SUITE 1200
HONOLULU, HI 96813

EXAMINER

BROWN, VERNAL U

ART UNIT	PAPER NUMBER
----------	--------------

2635

DATE MAILED: 08/25/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/827,579

Applicant(s)

HOLDAWAY ET AL.

Examiner

Vernal U Brown

Art Unit

2635

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 02 April 2001.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-20 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-20 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 02 April 2001 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on _____ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.
- 14) ☒ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449) Paper No(s) 2.
- 4) ☐ Interview Summary (PTO-413) Paper No(s) _____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____.

Art Unit: 2635

DETAILED ACTION

The application of Charles R. Holdaway for Wireless Digital Launch or Firing System filed April 02, 2001 has been examined. Claims 1-20 are pending.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 1-12, 18, and 20 are rejected under 35 U.S.C. 103(a) as being unpatentable over Lay U.S Patent 5734968 in view of Marcoux U.S Patent 5623256.

Regarding claims 1, 3-4, Lay teaches a wireless digital launch or firing system (col. 1 lines 61-62) comprising:

(a) a transmitter unit (40) having a first transmitter element for generating a first radio-frequency (RF) signal representing a first digital code sequence (col. 2 lines 26-27), and a second transmitter element for generating a second RF signal representing a second digital code sequence which is different from that of the first RF signal (col. 2 lines 31-32). Lay further teaches a receiver unit for receiving the RF signals transmitted by the transmitter unit (col. 2 lines 35-40) and the different signals activates a first and second switch (col. 2 lines 35-40) but is however silent on teaching demodulating the received signal, a digital processor for receiving the demodulated digital code sequences, comparing the received code to the stored code from the receiver circuit and comparing them to stored and a memory latch device which maintains a normally-off primary switch in an "on" condition once the memory latch device receives the

Art Unit: 2635

"enable" signal from the digital processor and a normally-off secondary switch which is set to an "on" condition when it receives the "actuate" signal from the digital processor. Marcoux in an art related control system teaches demodulating the received signals, a digital processor (202) for receiving the demodulated digital code sequences, comparing the received code to the stored code from the receiver circuit and comparing them to stored and a memory latch device which maintains a normally-off primary switch in an "on" condition once the memory latch device receives the "enable" signal from the digital processor and a normally-off secondary switch which is set to an "on" condition when it receives the "actuate" signal from the digital processor (col. 4 lines 52-60).

It would have obvious to one of ordinary skill in the art to demodulate the received signal, having a digital processor for receiving the demodulated digital code sequences, comparing the received code to the stored code from the receiver circuit and comparing them to stored and a memory latch device which maintains a normally-off primary switch in an "on" condition once the memory latch device receives the "enable" signal from the digital processor and a normally-off secondary switch which is set to an "on" condition when it receives the "actuate" signal from the digital processor in Lay as evidenced by Marcoux because Lay suggests transmitting dual control signal to operate a firing system and Marcoux teaches demodulate the received signal, having a digital processor for receiving the demodulated digital code sequences, comparing the received code to the stored code from the receiver circuit and comparing them to stored and a memory latch device which maintains a normally-off primary switch in an "on" condition once the memory latch device receives the "enable" signal from the digital processor and a normally-off secondary switch which is set to an "on" condition when it

Art Unit: 2635

receives the "actuate" signal from the digital processor which represents a conventional means of transmitting a control signal to a receiver.

Regarding claim 2, Lay teaches transmitting dual control signal to a receiver (col. 2 lines 26-27) but is silent on teaching the RF signals transmitted by the transmitter are in pulse code form. Marcoux in an art related control system teaches the use of pulse code modulation to transmit control signals to a receiver (col. 1 lines 59-60) which further represents a conventional modulation scheme.

It would have been obvious to one of ordinary skill in the art for the RF signals transmitted by the transmitter are in pulse code form in Lay as evidenced by Marcoux because Lay suggests transmitting dual control signal to a receiver and Marcoux teaches the RF signals transmitted by the transmitter are in pulse code form which further represents a conventional modulation scheme.

Regarding claims 5 and 7, Lay teaches the code sequences have one bit determined by activation of the first transmitter element (A) and another bit determined by activation of the second transmitter element (B) (col. 2 lines 35-40).

Regarding claim 6, the transmitter unit includes a digital encoder, the first transmitter element as a primary switch which provides one input to the digital encoder, and the second transmitter element as a secondary switch which provides another input to the digital encoder (col. 2 lines 56-65).

Regarding claims 8-9, Lay teaches transmitting dual control signal to a receiver (col. 2 lines 26-27) but is silent on teaching the receiver demodulate the pulse code signals and provides the demodulated signal to a digital decoder which compares them with stored digital

Art Unit: 2635

code. Marcoux in an art related control system teaches a receiver demodulate the pulse code signals and provides the demodulated signal to a digital decoder (202) which compares them with stored digital code (col. 4 lines 52-60).

It would have been obvious to one of ordinary skill in the art for the receiver to demodulate the pulse code signals and provides the demodulated signal to a digital decoder that compares them with stored digital code in Lay as evidenced by Marcoux because Lay suggests transmitting multiple control signals to the receiver and Marcoux teaches a method of transmitting multiple control signals to a receiver that includes demodulate the pulse code signals and provides the demodulated signal to a digital decoder which compares them with stored digital code in order to provide a control signal to the remotely controlled device.

Regarding claim 10, Lay teaches a digital code sequence having a plurality of bits which are determine by a user selection (col. 3 lines 10-15).

Regarding claim 11, Lay teaches the code sequences have one bit determined by activation of the first transmitter element (A) and another bit determined by activation of the second transmitter element (B) (col. 2 lines 35-40).

Regarding claim 12, Lay teaches a plurality of bits is determined by user setting of a selectable position switch which supplies bits based on the selected position for the digital code sequences (col. 3 lines 10-15).

Regarding claims 18 and 20, Lay teaches a wireless digital launch or firing device (col. 1 lines 61-62) comprising: (a) a receiver circuit for receiving a first radio-frequency (RF) signal

Art Unit: 2635

representing a first digital code sequence, a second RF signal representing a second digital code sequence which is different from that of the first RF signal (col. 2 lines 30-45). Lay is however silent on teaching demodulating the received signal, a digital processor for receiving the demodulated digital code sequences, comparing the received code to the stored code from the receiver circuit and comparing them to stored and a memory latch device which maintains a normally-off primary switch in an "on" condition once the memory latch device receives the "enable" signal from the digital processor and a normally-off secondary switch which is set to an "on" condition when it receives the "actuate" signal from the digital processor. Marcoux in an art related control system teaches demodulating the received signals, a digital processor (202) for receiving the demodulated digital code sequences, comparing the received code to the stored code from the receiver circuit and comparing them to stored and a memory latch device which maintains a normally-off primary switch in an "on" condition once the memory latch device receives the "enable" signal from the digital processor and a normally-off secondary switch which is set to an "on" condition when it receives the "actuate" signal from the digital processor (col. 4 lines 52-60).

It would have obvious to one of ordinary skill in the art to demodulate the received signal, having a digital processor for receiving the demodulated digital code sequences, comparing the received code to the stored code from the receiver circuit and comparing them to stored and a memory latch device which maintains a normally-off primary switch in an "on" condition once the memory latch device receives the "enable" signal from the digital processor and a normally-off secondary switch which is set to an "on" condition when it receives the "actuate" signal from the digital processor in Lay as evidenced by Marcoux because Lay

Art Unit: 2635

suggests transmitting dual control signal to operate a firing system and Marcoux teaches demodulate the received signal, having a digital processor for receiving the demodulated digital code sequences, comparing the received code to the stored code from the receiver circuit and comparing them to stored and a memory latch device which maintains a normally-off primary switch in an "on" condition once the memory latch device receives the "enable" signal from the digital processor and a normally-off secondary switch which is set to an "on" condition when it receives the "actuate" signal from the digital processor which represents a conventional means of transmitting a control signal to a receiver.

Claims 13-15 are rejected under 35 U.S.C. 103(a) as being unpatentable over Lay U.S. Patent 5734968 in view of Marcoux U.S. Patent 5623256 in view of Angott U.S. Patent 4686380.

Regarding claim 13-14, Lay in view of Marcoux teaches the use of memory latch to enable the switches of the control system but is silent on teaching the memory latch device provides an indefinite "enable" period or the memory latch device provides a timed "enable" period. Angott in an art related remote ON/OFF switch circuit teaches a memory latch circuit for holding a set state until a reset state is detected. One skilled in the art recognizes that the reset function provides an indefinite "enable" period or a timed "enable" period based on the resetting of the memory latch.

It would have been obvious to one of ordinary skill in the art for the memory latch device to provide an indefinite "enable" period or the memory latch device provides a timed "enable"

Art Unit: 2635

period in Lay in view of Marcoux is as evidenced by Angott because Lay in view of Marcoux suggests of memory latch to enable the switches of the control system and Angott teaches a memory latch circuit for holding a set state until a reset state is detected and one skilled in the art recognizes that the reset function provides and an indefinite "enable" period or a timed "enable" period base on the resetting of the memory latch.

Regarding claim 15, Lay in view of Marcoux teaches enabling the receiver module (U.S Patent 5734968, col. 2 lines 40-45) but is silent on teaching a warning light indication that the primary switch is closed. Angott in an art related remote ON/OFF switch circuit teaches the use of a warning light indication that a switch is closed (col. 4 lines 32-36).

It would have been obvious to one of ordinary skill in the art to have a warning light indication that the primary switch is closed in Lay in view of Marcoux as evidenced by Angott because Lay in view of Marcoux suggests enabling the receiver module and Angott teaches the use of a warning light indication that a switch is closed and one skilled in the art recognizes that warning lights are widely used for warning purposes.

Claims 16-17 and 19 are rejected under 35 U.S.C. 103(a) as being unpatentable over Lay U.S Patent 5734968 in view of Marcoux U.S Patent 5623256 in view of Boggs et al. U.S Patent 6094079.

Regarding claim 16, Lay teaches providing a plurality of output in sequence for actuating a plurality launch devices (col. 3 lines 10-16) but is not explicit in teaching a sequencer module. Boggs et al. in an art related remotely control system teaches a sequencer module for generating a plurality of output signals (col. 4 lines 60-65).

Art Unit: 2635

It would have been obvious to one of ordinary skill in the art to have a sequencer module in Lay in view of Marcoux because Lay in view of Marcoux suggests providing a plurality of output in sequence for actuating a plurality launch devices and Bogg et al. teaches a sequencer module for generating a plurality of output signals.

Regarding claims 17 and 19, Lay teaches providing a plurality of output in sequence for actuating a plurality launch devices (col. 3 lines 10-16) but is not explicit in teaching a plurality of serially connected sequencer module. Boggs et al. in an art related remotely control system teaches a sequencer module for generating a plurality of output signals (col. 4 lines 60-65). Boggs et al. further teaches the first sequencer module (210) affecting controlling a second module (240) and module 240 controlling module 260 (figure 3) to provide various outputs.

It would have been obvious to one of ordinary skill in the art to have a sequencer module and a plurality of serially connected sequencer module in Lay in view of Marcoux as evidenced by Bogg et al. because Lay suggests providing a plurality of outputs in sequence for actuating a plurality launch devices and Boggs et al. teaches a sequencer module for generating a plurality of output signals and further teaches plurality of modules to provide various output in sequence.

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Vernal U Brown whose telephone number is 703-305-3864. The examiner can normally be reached on M-Th, 8:30 AM-6:30 PM.

Art Unit: 2635

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Michael Horabik can be reached on 703-305-4704. The fax phone numbers for the organization where this application or proceeding is assigned are 703-872-9314 for regular communications and 703-872-9314 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 703-305-4750.



Vernal Brown
August 9, 2003

MICHAEL HORABIK
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2600

